

By Mr. White of Boston, petition of Newman Flanagan and W. Paul White relative to the release of hospital records. Health Care.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Eight.

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AN ACT RELATIVE TO THE RELEASE OF HOSPITAL RECORDS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 70 of Chapter 111 of the General Laws, as most recently  
2 amended by section 1 of chapter 495 of the acts of 1981, is hereby  
3 further amended by striking out the fifth sentence and inserting  
4 in place thereof the following sentence: — Section ten of chapter  
5 sixty-six shall not apply to such records; provided, that such  
6 records and similar records kept by the hospital or clinic, except  
7 a hospital or clinic under the control of the department of mental  
8 health, may be inspected by the patient to whom they relate or  
9 by his attorney upon delivery of a written authorization from said  
10 patient, and a copy shall be furnished upon his request and a  
11 payment of a reasonable fee; and provided, further, that upon  
12 proper judicial order, whether in connection with pending judicial  
13 proceedings or otherwise or, a valid subpoena issued by the  
14 commonwealth in a criminal case, or, except in the case of records  
15 of hospitals under the control of the department of mental health,  
16 upon order of the head of the state department which issues the  
17 license or of the head of the state department having jurisdiction  
18 or control of such hospital or clinic, and in compliance with the  
19 terms of said order, and, in the case of a hospital or clinic under  
20 the control of the department of mental health. When the  
21 commissioner of mental health determines that a disclosure would  
22 be in the best interest of a patient as provided in the rules and  
23 regulations promulgated by the commissioner, such records may  
24 be inspected and copies furnished on payment of a reasonable fee.

## The Commission of Enquiry

in the first instance, and thereafter as follows:

The Commission shall have the following powers:

1. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:

2. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
3. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
4. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
5. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
6. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
7. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
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17. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
18. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
19. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
20. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
21. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
22. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
23. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows:
24. To inquire into the conduct of the Commission of Enquiry in the first instance, and thereafter as follows: